



UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

October 2023 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES HARVEY SCOTT, JR.,
TYWAN DEWAYNE PARKS, and
ROSALIA MEJIA OROPEZA,
aka "ROSALIA MEJIA CERVANTES
OROPEZA"
aka "ROSALIA MEJIA,"
aka "ROSALIA CERVANTES,"
aka "ROSA,"

Defendants.

Case No. 5:24-cr-00043-JGB

I N D I C T M E N T

[18 U.S.C. § 1344(2): Bank Fraud;
18 U.S.C. § 1028A(a)(1):
Aggravated Identity Theft;
18 U.S.C. § 1708: Mail Theft;
18 U.S.C. § 1349: Conspiracy to
Commit Bank Fraud; 18 U.S.C.
§ 1029(a)(3): Possession of
Fifteen or More Unauthorized
Access Devices; 18 U.S.C. § 1708:
Possession of Stolen Mail;
18 U.S.C. § 1704: Unlawful
Possession of Postal Key and
Locks; 18 U.S.C. § 982: Criminal
Forfeiture]

The Grand Jury charges:

COUNTS ONE THROUGH FOUR

[18 U.S.C. § 1344(2)]

[DEFENDANT SCOTT]

A. INTRODUCTORY ALLEGATIONS

At times relevant to this Indictment:

1. Citizen Alliance Bank, Comerica Bank, U.S. Bank, N.A., and
Wells Fargo Bank, N.A. were each a financial institution insured by

1 the Federal Deposit Insurance Corporation.

2 2. An arrow key or a modified arrow lock (MAL) key was a type
3 of universal key used by the United States Postal Service to access
4 collection boxes, outdoor parcel lockers, cluster box units, and
5 apartment panels.

6 B. THE SCHEME TO DEFRAUD

7 3. Beginning no later than in or around May 2021 and
8 continuing until at least in or around August 2023, in San Bernardino
9 and Riverside Counties, within the Central District of California,
10 and elsewhere, defendant JAMES HARVEY SCOTT, JR., and others known
11 and unknown to the Grand Jury, knowingly and with intent to defraud,
12 devised, participated in, and executed a scheme to obtain moneys,
13 funds, credits, assets, and other property owned by and in the
14 custody and control of federally insured financial institutions by
15 means of material false and fraudulent pretenses, representations,
16 and promises, and the concealment of material facts.

17 4. The fraudulent scheme operated, and was carried out, in
18 substance, in the following manner:

19 a. Defendant SCOTT would access mail belonging to various
20 individuals and businesses by using a real or counterfeit arrow key
21 or MAL key.

22 b. Defendant SCOTT, either alone or together with others
23 known and unknown to the Grand Jury, would steal multiple pieces of
24 mail, including credit cards, checks, and money orders.

25 c. Defendant SCOTT would use stolen and unauthorized
26 credit cards to conduct unauthorized purchases. In doing so,
27 defendant SCOTT falsely represented to the financial institutions
28 that operated the credit card accounts that he was an authorized user

1 of the credit cards and concealed that he was not authorized to
2 access the credit cards.

3 d. Defendant SCOTT would alter, modify, or "wash" stolen
4 and unauthorized checks and money orders to make himself, "JAMES
5 HARVEY SCOTT, JR.," the payee, and he would deposit them in exchange
6 for cash. In doing so, defendant SCOTT falsely represented to the
7 financial institutions that he was an authorized payee of the checks
8 and money orders and concealed that he was not the authorized payee
9 of the checks and money orders.

10 C. EXECUTIONS OF THE FRAUDULENT SCHEME

11 5. On or about the following dates, in San Bernardino and
12 Riverside Counties, within the Central District of California, and
13 elsewhere, defendant SCOTT committed the following acts, each of
14 which constituted an execution of the fraudulent scheme:

COUNT	DATE	ACT
ONE	May 13, 2021	Altered and cashed a stolen money order drawn on Citizen Alliance Bank at a Wells Fargo Bank, N.A.
TWO	May 13, 2021	Altered and cashed a stolen money order drawn on Citizen Alliance Bank at Cashback LLC, dba Cashback Payday Advance, in San Bernardino County.
THREE	July 20, 2022	Altered and cashed a stolen check drawn on Comerica Bank at a Comerica Bank in Rancho Cucamonga, California.
FOUR	March 29, 2023	Used a stolen credit card issued to victim A.G. by U.S. Bank, N.A. for \$683.64 at a Nike store in Redlands, California.

COUNT FIVE

[18 U.S.C. §§ 1028A(a)(1), 2(b)]

[DEFENDANT SCOTT]

On or about March 29, 2023, in Riverside County, within the Central District of California, defendant JAMES HARVEY SCOTT, JR. knowingly transferred, possessed and used, and willfully caused to be used, without lawful authority, a means of identification that defendant SCOTT knew belonged to another person, namely, the name and account number belonging to victim A.G., during and in relation to the offense of Bank Fraud, a felony violation of Title 18, United States Code, Section 1344(2), as charged in Count Four of this Indictment.

COUNT SIX

[18 U.S.C. § 1708]

[DEFENDANT SCOTT]

On or about March 29, 2023, in San Bernardino County, within the Central District of California, defendant JAMES HARVEY SCOTT, JR. stole, took, and abstracted mail and mail matter from and out of a letter box, mail receptacle, mail route, and authorized depository for mail matter, namely, mailboxes located at 93 Kansas Street in Redlands, California, with the intent to deprive the owners of the mail and mail matter, temporarily and permanently, of its use and benefit.

COUNT SEVEN

[18 U.S.C. §§ 1708, 2(a)]

[DEFENDANTS SCOTT and PARKS]

On or about August 31, 2023, in Riverside County, within the Central District of California, defendants JAMES HARVEY SCOTT, JR. and TYWAN DEWAYNE PARKS, each aiding and abetting the other, stole, took, and abstracted mail and mail matter from and out of a letter box, mail receptacle, mail route, and authorized depository for mail matter, namely, mailboxes located at 4620 Van Buren Boulevard in Riverside, California, with the intent to deprive the owners of the mail and mail matter, temporarily and permanently, of its use and benefit.

COUNT EIGHT

[18 U.S.C. § 1349]

[DEFENDANTS SCOTT and OROPEZA]

A. INTRODUCTORY ALLEGATIONS

At times relevant to this Indictment:

1. Defendants JAMES HARVEY SCOTT, JR. and ROSALIA MEJIA OROPEZA, also known as ("aka") "ROSALIA MEJIA CERVANTES OROPEZA," aka "ROSALIA MEJIA," aka "ROSALIA CERVANTES," aka "ROSA," resided in San Bernardino County and Riverside County, California.

2. An arrow key or a modified arrow lock (MAL) key was a type of universal key used by the United States Postal Service to access collection boxes, outdoor parcel lockers, cluster box units, and apartment panels. These keys have unique serial numbers and are assigned to letter carriers, who use them to collect and deliver mail on their assigned routes.

3. "Just Kill" was a dark net website that allowed users to obtain personal identifying information belonging to victims, including victims' social security numbers.

B. THE OBJECT OF THE CONSPIRACY

4. Beginning on an unknown date, but no later than in or around July 2023, and continuing until at least in or around November 2023, in San Bernardino and Riverside Counties, within the Central District of California, and elsewhere, defendants SCOTT and OROPEZA conspired with others known and unknown to the Grand Jury, to commit Bank Fraud, in violation of Title 18, United States Code, Section 1344(2).

C. MANNER AND MEANS OF THE CONSPIRACY

5. The object of the conspiracy was carried out, and was to be

1 carried out, in substance, as follows:

2 a. Prior to September 15, 2023, defendants SCOTT and
3 OROPEZA would access mail belonging to various individuals and
4 businesses by using a real or counterfeit arrow key or MAL key.

5 b. Defendants SCOTT and OROPEZA would steal multiple
6 pieces of mail, including payment cards and checks.

7 c. Over text message, defendants SCOTT and OROPEZA would
8 exchange information, including victims' personal identifying
9 information, to activate payment cards to conduct unauthorized
10 purchases.

11 d. Defendants SCOTT and OROPEZA would use stolen and
12 unauthorized payment cards to conduct unauthorized purchases. In
13 doing so, defendants SCOTT and OROPEZA falsely represented to the
14 financial institutions that operated the payment card accounts that
15 one of them was an authorized user of the payment cards and concealed
16 that the person using the payment cards was not authorized to access
17 the payment cards.

18 e. Defendants SCOTT and OROPEZA would alter, modify, or
19 "wash" stolen and unauthorized checks and deposit them in exchange
20 for cash. In doing so, defendants SCOTT and OROPEZA falsely
21 represented to financial institutions that one of them was an
22 authorized payee of the checks and concealed that neither of them was
23 the authorized payee of the checks.

24 f. After defendant SCOTT's arrest on September 14, 2023,
25 defendants SCOTT and OROPEZA discussed and planned how defendant
26 OROPEZA would continue to steal mail and continue committing bank
27 fraud while defendant SCOTT was incarcerated.

28 g. Defendant OROPEZA would use a real or counterfeit

1 arrow key or MAL key to access and steal mail belonging to various
2 individuals and businesses.

3 h. Defendant OROPEZA obtained the means of
4 identification, including the names, dates of birth, addresses, and
5 payment card numbers, of identity theft victims, including victims
6 M.J., R.L., and M.M. (the "stolen identities").

7 i. Defendant OROPEZA used personal identifying
8 information to activate cards that she and defendant SCOTT were not
9 authorized to use.

10 D. OVERT ACTS

11 6. In furtherance of the conspiracy, and to accomplish its
12 object, defendants SCOTT and OROPEZA, and others known and unknown to
13 the Grand Jury, committed and willfully caused others to commit, on
14 or about the dates set forth below, the following overt acts, among
15 others, within the Central District of California, and elsewhere:

16 Overt Act No. 1: On July 15, 2023, defendants SCOTT and
17 OROPEZA exchanged text messages in which they discussed defendant
18 OROPEZA printing checks, defendant SCOTT's failure to successfully
19 pass a check, and defendant SCOTT's successful use of a card.

20 Overt Act No. 2: On July 27, 2023, defendant SCOTT sent a
21 text message to defendant OROPEZA containing a social security number
22 and stated, "[t]hat's her social if you wanna activate it yourself."

23 Overt Act No. 3: On August 3, 2023, defendant OROPEZA sent
24 defendant SCOTT a text message asking if defendant SCOTT had
25 "take[n]" an "id" and "social" defendant OROPEZA had "got[ten]
26 yesterday" and explaining that defendant OROPEZA had planned to
27 "create an account with that."

28 Overt Act No. 4: On August 3, 2023, defendant SCOTT sent

1 defendant OROPEZA a text message confirming that another individual
2 had cashed a check using the information to which defendant OROPEZA
3 had referred in her earlier text message.

4 Overt Act No. 5: On August 6, 2023, defendant OROPEZA sent
5 defendant SCOTT a text message, "I'ma shower n get ready so we can go
6 hit the boxes later" - i.e., to steal mail.

7 Overt Act No. 6: On August 11, 2023, defendant OROPEZA sent
8 defendant SCOTT a text message asking defendant SCOTT to "look up" a
9 social security number and suggested the defendant SCOTT "make an
10 online account for American Express."

11 Overt Act No. 7: On August 12, 2023, defendant OROPEZA sent
12 defendant SCOTT via text message two links to Rolex watches and
13 stated, "When ur done we can try to pay for it with the American
14 Express card."

15 Overt Act No. 8: On August 12, 2023, in multiple text
16 messages, after defendant SCOTT expressed that the cost of one Rolex
17 was "a lil steep," defendant OROPEZA replied, "I'm sure I can make it
18 happen [.] With the profiles that we have."

19 Overt Act No. 9: On September 10, 2023, defendant OROPEZA
20 sent defendant SCOTT a text message explaining that she wanted to
21 make some money and had activated a card that was ready to be used.

22 Overt Act No. 10: On September 10, 2023, defendant OROPEZA
23 sent defendant SCOTT a text message explaining that she avoided using
24 a card when she had to show identification.

25 Overt Act No. 11: On September 10, 2023, defendant OROPEZA
26 sent defendant SCOTT a text message asking what time defendant SCOTT
27 wanted to "hit the boxes."

28 Overt Act No. 12: On September 10, 2023, defendants SCOTT and

1 OROPEZA exchanged text messages in which defendant OROPEZA asked
2 defendant SCOTT for a victim's date of birth because she needed that
3 information to obtain the victim's social security number; defendant
4 SCOTT then referred to having sent defendant OROPEZA numerous social
5 security numbers.

6 Overt Act No. 13: On September 12, 2023, defendants SCOTT and
7 OROPEZA exchanged text messages in which defendant SCOTT sent
8 defendant OROPEZA two victims' birthdates and defendant OROPEZA
9 responded by sending defendant SCOTT two social security numbers.

10 Overt Act No. 14: On September 12, 2023, defendant SCOTT sent
11 defendant OROPEZA a text message that a card associated with Best Buy
12 had been activated and the pin had been set.

13 Overt Act No. 15: On September 12, 2023, defendant OROPEZA
14 sent defendant SCOTT a text message stating, "I still haven't open
15 what I got but, I know I got checks cause I hit a few business."

16 Overt Act No. 16: On September 12, 2023, using coded language
17 in a text message, defendant OROPEZA told defendant SCOTT she was
18 removing the serial number from arrow keys, to which defendant SCOTT
19 explained that defendant OROPEZA would have to "go pretty deep" to
20 remove the serial number from arrow keys.

21 Overt Act No. 17: On September 12, 2023, in a text message,
22 defendant OROPEZA told defendant SCOTT that she "got some really good
23 checks," which she described as "like perfect checks or 3, 3 and 5
24 thousand wells Fargo n one bank American for 5 n they are hand
25 signatures."

26 Overt Act No. 18: On September 13, 2023, defendant SCOTT sent
27 defendant OROPEZA a text message asking for a victim's information,
28

1 and defendant OROPEZA responded by sending defendant SCOTT a victim's
2 name and zip code.

3 Overt Act No. 19: On September 14, 2023, defendant SCOTT
4 possessed stolen mail inside his vehicle.

5 Overt Act No. 20: On September 14, 2023, in a hotel room in
6 Loma Linda, California, defendants OROPEZA and SCOTT possessed stolen
7 mail.

8 Overt Act No. 21: On September 15, 2023, in a telephone call
9 after defendant SCOTT was arrested and incarcerated, defendant
10 OROPEZA told defendant SCOTT that she had deleted information
11 contained in defendant SCOTT's iPhone account.

12 Overt Act No. 22: On September 16, 2023, in a telephone call
13 using coded language, defendant OROPEZA told defendant SCOTT that law
14 enforcement had not seized everything from their hotel room and that
15 defendant OROPEZA still had "something" - referring to victim
16 information - though she was not sure if it still worked.

17 Overt Act No. 23: On September 16, 2023, in a telephone call,
18 defendant SCOTT instructed defendant OROPEZA to try the last four
19 "5009," and to use an account "just kill" - referring to a dark net
20 website - to obtain personal identifying information related to a
21 victim.

22 Overt Act No. 24: On September 20, 2023, in a telephone call
23 using coded language, defendant OROPEZA told defendant SCOTT that she
24 was busy manufacturing a false check.

25 Overt Act No. 25: On September 27, 2023, in a telephone call,
26 defendant OROPEZA told defendant SCOTT that she "made 1100 already
27 today," that she should have "like 1200 by tomorrow," and that she
28 had been to three banks that day.

1 Overt Act No. 26: On October 10, 2023, in a telephone call,
2 using coded language defendant SCOTT provided defendant OROPEZA
3 instructions on how to obtain arrow keys by contacting an associate
4 of defendant SCOTT's who was recently incarcerated with defendant
5 SCOTT and would assist defendant OROPEZA.

6 Overt Act No. 27: On October 29, 2023, defendant OROPEZA stole
7 mail from residents on Wild Rose Lane in Highland, California.

8 Overt Act No. 28: On October 31, 2023, in a telephone call,
9 defendant OROPEZA informed defendant SCOTT that she had successfully
10 made counterfeit arrow keys.

11 Overt Act No. 29: On November 28, 2023, in her residence in
12 Rialto, California, defendant OROPEZA possessed (1) mail addressed to
13 individuals other than defendant OROPEZA; (2) several notebooks with
14 multiple outlines of USPS arrow keys for various cities in the Inland
15 Empire along with photos and on how to counterfeit arrow keys and
16 counterfeit arrow keys in various stages of production; (3) tools to
17 manufacture counterfeit arrow keys, including Dremel tools and bits;
18 (4) checks in names other than OROPEZA; (5) washed and altered checks
19 showing the name of defendant OROPEZA; (6) access devices in names
20 other than defendant OROPEZA; (7) device-making equipment; (8)
21 several social security cards, United States passports not belonging
22 to defendant OROPEZA, and California identification cards in names
23 other than defendant OROPEZA; (9) a counterfeit credit card showing
24 the name of defendant OROPEZA; and (10) a counterfeit credit card
25 showing the name of defendant SCOTT.

COUNT NINE

[18 U.S.C. § 1028A(a)(1); 2(a)]

[DEFENDANTS SCOTT and OROPEZA]

Between on or about September 14, 2023 and on or about November 28, 2023, in San Bernardino County, within the Central District of California, defendants JAMES HARVEY SCOTT, JR. and ROSALIA MEJIA OROPEZA, also known as ("aka") "ROSALIA MEJIA CERVANTES OROPEZA," aka "ROSALIA MEJIA," aka "ROSALIA CERVANTES," aka "ROSA," each aiding and abetting the other, knowingly possessed, without lawful authority, a means of identification that defendants SCOTT and OROPEZA knew belonged to another person, namely, the name of victim M.J., during and in relation to the offense of Conspiracy to Commit Bank Fraud, a felony violation of Title 18, United States Code, Section 1349, as charged in Count Eight of this Indictment.

COUNT TEN

[18 U.S.C. § 1708]

[DEFENDANT OROPEZA]

On or about October 29, 2023, in San Bernardino County, within the Central District of California, defendant ROSALIA MEJIA OROPEZA, also known as ("aka") "ROSALIA MEJIA CERVANTES OROPEZA," aka "ROSALIA MEJIA," aka "ROSALIA CERVANTES," aka "ROSA," stole, took, and abstracted mail and mail matter from and out of a letter box, mail receptacle, mail route, and authorized depository for mail matter, namely, mailboxes located at 28474 Wild Rose Lane in Highland, California, with the intent to deprive the owners of the mail and mail matter, temporarily and permanently, of its use and benefit.

COUNT ELEVEN

[18 U.S.C. § 1029(a)(3)]

[DEFENDANT OROPEZA]

On or about November 28, 2023, in San Bernardino County, within the Central District of California, defendant ROSALIA MEJIA OROPEZA, also known as ("aka") "ROSALIA MEJIA CERVANTES OROPEZA," aka "ROSALIA MEJIA," aka "ROSALIA CERVANTES," aka "ROSA," knowingly and with intent to defraud, possessed at least fifteen unauthorized access devices (as defined in Title 18, United States Code, Sections 1029(e)(1) and (3)), namely, approximately 142 credit card numbers and 71 social security numbers, all belonging to persons other than defendant OROPEZA, with said possession affecting interstate and foreign commerce.

COUNT TWELVE

[18 U.S.C. § 1708]

[DEFENDANT OROPEZA]

On or about November 28, 2023, in San Bernardino County, within the Central District of California, defendant ROSALIA MEJIA OROPEZA, also known as ("aka") "ROSALIA MEJIA CERVANTES OROPEZA," aka "ROSALIA MEJIA," aka "ROSALIA CERVANTES," aka "ROSA," unlawfully possessed mail and mail matter that had been stolen and taken from the United States mail, namely, approximately 599 pieces of mail and mail matter addressed to individuals other than defendant OROPEZA within San Bernardino County and elsewhere, and at that time and place, defendant OROPEZA knew that said mail and mail matter were stolen.

COUNT THIRTEEN

[18 U.S.C. § 1704]

[DEFENDANT OROPEZA]

On or about November 28, 2023, in San Bernardino County, within the Central District of California, defendant ROSALIA MEJIA OROPEZA, also known as ("aka") "ROSALIA MEJIA CERVANTES OROPEZA," aka "ROSALIA MEJIA," aka "ROSALIA CERVANTES," aka "ROSA," knowingly possessed with the intent to unlawfully and improperly use, and to cause the same to be unlawfully and improperly used, a key suited to locks adopted and in use at the time by the United States Post Office Department and Postal Service, and to any authorized receptacle for the deposit or delivery of mail matter, namely, one counterfeit "arrow" key, and two postal locks adopted and in use at the time by the United States Post Office Department and Postal Service.

FORFEITURE ALLEGATION

[18 U.S.C. § 982]

1. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 982(a)(2), in the event of the defendants' conviction of the offenses set forth in any of Counts One through Thirteen of this Indictment.

2. The defendant, if so convicted, shall forfeit to the United States of America the following:

(a) All right, title and interest in any and all property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offenses; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), the defendant, if so convicted, shall forfeit substitute property, up to the total value of the property described in the preceding paragraph if, as the result of any act or omission of said defendant, the property described in the preceding paragraph, or any portion thereof: (a) cannot be located upon the exercise of due diligence; (b) has been transferred, sold to or deposited with a third party; (c) has been placed beyond the jurisdiction of the court; (d) has

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1 been substantially diminished in value; or (e) has been commingled
2 with other property that cannot be divided without difficulty.

3
4 A TRUE BILL

5
6 /s/
7 Foreperson

8 E. MARTIN ESTRADA
9 United States Attorney

10 MACK E. JENKINS
11 Assistant United States Attorney
12 Chief, Criminal Division

13 *Christina Shy for SMG*

14 SCOTT M. GARRINGER
15 Assistant United States Attorney
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17 IAN V. YANNIELLO
18 Assistant United States Attorney
19 Chief, General Crimes Section

20 J'ME K. FORREST
21 Assistant United States Attorney
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